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OO RUEHBI RUEHCHI RUEHCI RUEHCN  
DE RUEHCI #0305/01 2701604  
ZNR UUUUU ZZH  
O P 271604Z SEP 07  
FM AMCONSUL KOLKATA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1714  
INFO RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1617  
RUEHCG/AMCONSUL CHENNAI 0720  
RUEHBI/AMCONSUL MUMBAI 0723  
RUEHGO/AMEMBASSY RANGOON 0323  
RUEHKT/AMEMBASSY KATHMANDU 0468  
RUEHCN/AMCONSUL CHENGDU 0108  
RUEHBK/AMEMBASSY BANGKOK 0174  
RUEHCHI/AMCONSUL CHIANG MAI 0028  
RUEHKL/AMEMBASSY KUALA LUMPUR 0026  
RUEHKA/AMEMBASSY DHAKA 0467  
RUEHIL/AMEMBASSY ISLAMABAD 0381  
RUCNDT/USMISSION USUN NEW YORK NY  
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RHEHAAA/NSC WASHINGTON DC  
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RHMFIUU/CDR USPACOM HONOLULU HI  
RUEHCI/AMCONSUL KOLKATA 2099

UNCLAS SECTION 01 OF 03 KOLKATA 000305

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E.O. 12958: N/A

TAGS: [PREF PHUM PREL BM IN](#)

SUBJECT: BURMESE MIGRANTS IN NORTHEAST INDIA FACE DISCRIMINATION:  
CONCERNED BY DEVELOPMENTS IN BURMA

¶1. (SBU) Summary: India's Northeast region is home to thousands of Burmese refugees and migrants who have fled political oppression and economic backwardness in Burma. Ethnic Chins are the largest group, estimated at 50,000 to 100,000, and are primarily in the India's Northeastern state of Mizoram. They are often harassed by powerful local Mizo groups who see them as a social and economic threat. India as a non-signatory to the 1951 Convention relating to the status of refugees as well as its related 1967 protocol, and lacking a national refugee law has not granted the Chins refugee or temporary resident status. The GOI also does not allow the United Nations High Commissioner for Refugees (UNHCR) access to Mizoram to assess the possible refugee status of the Chins in the state. In addition, the GOI's increasingly cooperative relationship with the Burmese government over the past 12 years has further increased feelings of insecurity among the Chin population. The GOI should be encouraged to seek a constructive solution to the Chins' status in the Northeast in order to promote human rights and democracy. Also as a practical matter, the GOI will need to plan a response to another possible influx of Burmese refugees as it experienced in 1988, if the Burmese Junta violently suppresses the ongoing pro-democracy demonstrations. End Summary.

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Background  
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¶2. (U) Burmese migrants in India consist mostly of ethnic Chins who reside in Northeast India. Most live in Mizoram, with a smaller population in neighboring Manipur and Nagaland. Following a large influx of refugees in 1988 as a result of the brutal suppression of the pro-democracy movement in Burma, thousands of Chins fled their homes and entered the neighboring Indian states. The people of Chin state in northwest Burma, who are predominantly Christians, are among the ethnic groups targeted by the primarily Buddhist Burmese regime. According to Chin contacts, the Chins face religious persecution, forced

labor and political suppression in Chin state. Political oppression as well as economic necessity has prompted a continue flow of Chins to India. Neither the GOI nor UNHCR in New Delhi (to whom the Northeast is inaccessible) have officially acknowledged the plight of these Burmese refugees in the border areas. As a result, the Chin population suffers discrimination and an indeterminate status in India.

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Migrants' Vulnerability  
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13. (U) The continuing lack of an formal legal status for Burmese in India makes it difficult to estimate the actual number living in the Northeast. Except for a small number who have been able to approach UNHCR in New Delhi, the majority of the Burmese in India are afraid to identify themselves as refugees. During the initial influx of Chins in 1988, the GOI set up camps for them, but these were closed in 1995 as India began a policy of greater engagement with the Burmese regime. This shift left the Chins without reliable humanitarian support, and they have since survived on low-paying, marginal jobs.

14. (SBU) Close cultural and linguistic similarities with the Mizos allow the Chins to integrate somewhat into local society. However, they remain frequent targets of the ethnic Mizo population, who see them as an economic threat and easy scapegoat. During a recent visit in August by ConGen to the Mizoram, Chin leaders recounted experiences of discrimination and abuse by the Mizo population. Chins fill menial jobs, or work as weavers, laborers or porters. Many Chin often try to keep a low profile to avoid being identified as "foreigners" or as illegal immigrants. The Chins' marginal status makes them

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vulnerable to exploitation and they are occasionally targeted by local communities and political parties. In 2000, Mizoram authorities forcibly repatriated hundreds of Chin refugees to Burma. At least 87 of them were reported to have been arrested and sent to forced labor camps in Burma. In March 2002, the powerful Young Mizo Association (YMA) ordered the eviction of Chins in the Lunglei district. In July 2003, in response to a rape in which a Burmese national was alleged to be responsible, the YMA - with the support of the state government -- evicted about 5,000 Chins from Mizoram.

15. (U) The migrants can be broadly divided into two categories: those fleeing to India in the immediate aftermath of the Junta's 1988 crackdown and those who have crossed steadily into India since the early 1990s. The first category includes students and youth who participated in the 1988 uprising and subsequently fled to escape the Junta's brutal repression. The rest constitute those who came in search of a livelihood and/or to escape human rights violations in the form of arbitrary arrest, torture, forced labor and religious persecution. Ongoing insurgency and counter-insurgency violence has also contributed to the Chin fleeing Burma. India is not a signatory to the 1951 Convention relating to the status of refugees or its related 1967 protocol. India also does not have a national refugee law. While the GOI reacted to refugee outflow triggered by the 1988 uprising by setting up refugee camps for perceived political refugees as noted, it later withdrew all assistance.

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Through Chin Eyes  
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16. (SBU) Field Coordinator of the Chin Human Rights Organization (CHRO) in Mizoram Terah Thantluang (please protect) told post that about 60,000 Chins reside in India. These include 50,000 Chins in Mizoram and 10,000 in Manipur. Although Chin leaders say the persecution of Chins in India has been less acute since the 2003 deportation drive in Mizoram, they also say that Chins are "not free" in India because of the GOI's close relationship with the Burmese government. Chins living along

India's border remain in fear of threats by both locals and the Indian army.

¶7. (SBU) Van Lian Thang (please protect), leader of the Chin National Council (CNC) - an umbrella organization of Chin socio-political groups -- estimated there were 80,000-90,000 Chins in India. He said that the Chin migrants live in difficult economic circumstances and lack legal security. With the GOI's Look East Policy and friendly relations with Burma, the Chin movement is unable to make progress in gaining GOI recognition of their plight. Although the YMA has refrained from outright acts of abuse, Thang indicated that the Chins felt threatened by this ethnic Mizo group. He added that the situation had improved recently under the state Mizo National Front (MNF) government, which is now more sympathetic to the Chins and their difficulties, but provides no official support. (Comment: Despite the current situation being relatively improved, the CNC continues to conduct its larger meetings in jungle areas to avoid drawing attention of the state authorities and locals Mizo groups. End Comment.)

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Things Changing in Burma?  
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¶8. (U) On September 27 Chin leaders told Post that they have not seen any marked increase of Burmese crossing into India since the recent pro-democracy demonstrations in Burma began. The Chins in Burma presently remain remote from the center of the demonstrations and agitation. Thang noted that the Chins were watching events closely but lacking resources and a means

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to support the protestors, he lamented, "Unfortunately we cannot physically or financially support the movement [in Burma], but we hope some country will come forward to help us."

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Role of UNHCR  
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¶9. (U) UNHCR contacts told post that asylum seekers have to approach the organization in New Delhi as the GOI does not permit UNHCR access to Northeast states and it has no links with NGOs in the Northeast region. UNHCR emphasized that if a migrant from a foreign country resides in India for economic reasons, their application is likely to be rejected. So far, UNHCR has granted refugee status to 1,800 Burmese in India, and UNHCR admitted they don't have an accurate count of the total number of Burmese migrants in the country as they get varying estimates (50,000 to 100,000) from asylum seekers.

¶10. (SBU) Comment: The Chins remain in legal limbo in India as the GOI avoids adequately addressing their presence. While presently not forcing the Chins to return to Burma, the GOI still offers no mechanism for them to maintain a legal status until the political situation in Burma changes. UNHCR is unable to effectively assess whether the Chin are political refugees or economic migrants as the GOI refuses the organization access to the region and few Chins have the means to make the long trip from the Northeast to New Delhi to apply for refugee status. Given recent the pro-democracy demonstrations in Burma and the likelihood of a violent response by the Burmese Junta, India could possibly see a repeat of 1988 with another large influx of refugees. The GOI should be encouraged to consider such an eventuality and prepare a possible response to an increase in Burmese refugees. The GOI should also be encouraged to allow UNHCR greater access to the Chins to identify legitimate refugees and to craft a sustainable approach in dealing with the sizeable Chin community. A constructive response to the Chin situation would demonstrate the GOI's commitment to basic human rights and contribute to broader efforts to promote democracy in Burma.  
JARDINE